## REMARKS

Claims 29 and 30 are in this application, claims 1-9 having been canceled and claims 29 and 30 having been added by this amendment. Claims 1-9 were rejected under 35 USC 112, ¶¶1 and 2, and under 35 USC 102(a) and/or 35 USC 103(a). These rejections are respectfully traversed as applied to claims 29 and 30.

### Basis for new claims

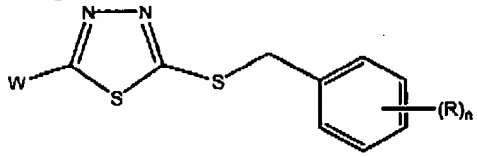
Claim 29 is a combination of prior claims 4 (list of diseases) and 7 (compounds) rewritten in independent form; and claim 30 is prior claim 8 rewritten with the dependency updated.

### The 35 USC 112, ¶1 rejection

Claims 1-6 were rejected under 35 USC 112, ¶1 for lack of enablement, "as containing subject matter which was not described in the specification in such a way to enable one skilled in the at to which it pertains, or with which it is most nearly connected, to make and/or use the invention." This rejection is respectfully traversed.

The claimed invention

The invention, as claimed in claim 29, is a method of treating a disease selected from the group consisting of psychoses, pain, epilepsy, neurodegenerative diseases, stroke, head trauma, multiple sclerosis, spasticity and myoclonus by administering a therapeutically effective amount of a compound of the formula:




where n is 0, 1, or 2; each R is chlorine; and W is aryl or heteroaryl, or a pharmaceutically acceptable salt thereof.

Dependent claim 30 claims the same method, listing five specific compounds.

In the rejection, the Examiner first referred to the decisions in *In re Wands* and *Ex parte Foreman* as establishing the relevant factors in considering enablement.

The Examiner then stated that the claims "embrace a diversity of chemically and physically distinct compounds, wherein Q can be absent or present. While a number of compounds are disclosed, there is insufficient guidance for preparing additional GlyT2 antagonists ... . Only compounds wherein Q is absent have been made." "Furthermore, no testing data is provided for nay of the compounds wherein Q is present in the specification."

Applicants respectfully submit that the claims now encompass only a small Markush group of compounds, and that five of these compounds (Compounds 12 – 16) have been demonstrated in Example 2 to be prepared. Also, the synthesis described in Example 2 is readily capable of preparing as many more members of the group of claim 29 as are required: the starting materials are an aryl/heteroaryl carboxylic anhydride (readily preparable from the corresponding carboxylic acid), and a benzyl/chlorobenzyl/dichlorobenzyl bromide. Further, compound 12 was tested and shown in Example 2 to be a potent inhibitor of GlyT2. Considering the small size of the group, Applicants contend that reasonable assurance has been given that the compounds of claim 29 have the required activities needed to practice the invention.